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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,343	12/29/2000	John R. Stefanik	00336	8808

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EXAMINER

NGUYEN, NAM V

ART UNIT

PAPER NUMBER

2635

DATE MAILED: 05/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/751,343

Applicant(s)

STEFANIK, JOHN R.

Examiner

Nam V Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 December 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

The application of Stefanik for a "remote control device with feedback apparatus" filed December 29, 2000 has been examined.

Claims 1-10 are pending.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 6-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Hahm (US# 5,949,351).

Referring to claims 1 and 7, Hahm discloses a system and method for bi-directional transmission of information between a remote controller and target systems as recited in claim 1. See Figures 1, 11, 12 and respective portions of the apparatus and method.

Hahm discloses a remote control device (100) (column 3 lines 53 to 64; see Figure 1), comprising:

A feedback device (i.e. receiving and processing circuitry) (see Figures 11 and 12) for receiving signals from an electronic device (120, 130 or 140) (column 3 lines 56 to column 4 lines 14; column 7 lines 1 to 23; column 8 lines 7 to 27), the feedback device including:

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A receiver (311) (column 7 lines 1 to 23; see Figures 11 and 12);

A processor (305) in communication with the receiver (311) (column 7 lines 1 to 23; column 7 lines 40 to 52); and

An output device (301) (i.e. the display circuitry) in communication with the processor (305) (column 7 lines 1 to 23; column 7 lines 40 to 52).

Referring to claims 2 and 10, Hahm discloses the device of claims 1 and 7, wherein the output device (103) includes at least one of a light source, an LCD display, and LED display and a speaker (column 7 lines 15 to 23).

Referring to claims 3 and 4, Hahm discloses the device of claim 1, wherein the feedback device (i.e. receiving and processing circuitry) is located in or on a housing of the remote control device (100) (see Figure 1).

Referring to claim 6, Hahm discloses the device of claim 1, wherein the remote control device (100) is a universal remote control device (i.e. for plural numbers of apparatuses) (column 1 lines 51 to 65; see Figure 1).

Referring to claim 8, Hahm discloses the device of claim 7, further comprising an input device (307) (i.e. input keypad) in communication with the processor (305) (column 7 lines 1 to 10; see Figure 11).

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Referring to claim 9, Hahm discloses the device of claim 7, further comprising a storage area (316) (i.e. memory) in communication with the processor (305) (column 7 lines 24 to 39; see Figure 11).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hahm (US# 5,949,351) as applied to claim 1 above, and in view of Darbee et al. (US# 6,002,450).

Referring to claim 5, Hahm discloses the device of claim 1, however, Hahm did not explicitly disclose wherein the feedback device is for displaying one of a weak signal indication and a low battery power indication.

In the same field of endeavor of remote control device, Darbee et al. teach that feedback device is for displaying one of a weak signal indication and a low battery power indication (column 5 line 66 to column 6 line 2; column 6 lines 41 to 43; see Figure 5) in order to obtain the status of the battery level.

One of ordinary skilled in the art recognizes the need to display the status of the level of the battery of Darbee et al. in the display of the status of the function of the controlled

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apparatuses of Hahm because Hahm suggests it is desired to indicate the status of the received function on the display screen or by an LED for displaying the state of controlling apparatus (column 7 lines 1 to 23) and Darbee et al. teach that the when the power level of the battery is low when operating the remote control, the low battery indication is popup on the screen in order to notify the user to replace the battery. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to display the status of the level of the battery of Darbee et al. in the display of the status of the function of the controlled apparatuses of Hahm with the motivation for doing so would have been to avoid interruption of using the remote control device when the power level of battery is low.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Herz (US# 6,407,779) discloses a method and apparatus for an intuitive universal remote control system.

Van Ee et al. (US# 6,208,341) disclose a GUI of remote control facilitates user-friendly editing of macros.

Kitao et al. (US# 6,160,491) disclose a remote controller, remote control interface, and remote control system including a remote controller and a remote control interface.

Chiloyan et al. (US# 6,008,735) disclose a method and system for programming a remote control unit.

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Seo et al. (US# 5,945,921) disclose an apparatus and method for confirming remote control command response.

Kumai (US# 5,898,398) discloses a remote control device and remote control method.

Miyahara et al. (US# 4,764,981) disclose a remote control circuit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 703-305-3867. The examiner can normally be reached on Mon-Fri, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 703-305-4704. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nam Nguyen  
May 16, 2003



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